

Lawrence Matasar, OSB No. 74209  
621 SW Morrison Street, Suite #1025  
Portland, OR 97205  
Tel: (503) 222-9830  
Fax: (503) 274-8575  
Email: larry@pdxlaw.com

Steven T. Wax, OSB No. 85012  
Federal Public Defender  
101 SW Main Street, Suite 1700  
Portland, OR 97204  
Tel: (503) 326-2123  
Fax: (503) 326-5524  
Email: steve\_wax@fd.org

Attorneys for Pirouz Sedaghaty

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

<b>UNITED STATES OF AMERICA,</b>	)	Case No. CR 05-60008
	)	
Plaintiff,	)	DEFENDANT'S SECOND
	)	CIPA NOTICE
vs.	)	
	)	
<b>PIROUZ SEDAGHATY</b>	)	
	)	
Defendant.	)	

Defendant, by his attorneys, Lawrence Matasar and Steven T. Wax, pursuant to Section 5 of the Classified Information Procedures Act (CIPA), 18 U.S.C.App. III, § 5, hereby notifies the Court and the United States Attorney that, in addition to the previously filed first CIPA Notice, the defendant reasonably expects to cause the disclosure of other classified information in connection with trial and pretrial proceedings involving this criminal prosecution. This classified information concerns:

(1) facts contained in the July 10, 2009 Report on the President's Surveillance Program (both Classified and Unclassified versions);

(2) the transmittal of personal information involving the defendant and others by the United States to the Russian FSB (Federalnaya Sluzhba Bezopasnosti, or Federal Security Service), formerly the Soviet KGB (Komitet Gosudarstvennoy Bezopasnosti, or Committee for Security of the State);

(3) information which prompted the United States to initiate the investigation or to seek the search warrant in this case. *See Murray v. United States*, 487 U.S. 533, 542-43 (1988);

(4) information concerning the use of and sources for computer search terms, including “Timimi” and “Ali Al-Timimi.” Ali Al-Timimi is a defendant in *United States v. Al-Timimi*, a terrorism prosecution in the Eastern District of Virginia, Case No 04-CR-385-LMB. When examined in court on July 13, 2009, FBI Agent David Carroll, a member of Portland’s Joint Terrorism Task Force, refused to answer questions on this subject. The prosecutor informed the Court that Agent Carroll was not allowed to answer such questions because the questions involved classified information.

DATED this 27th day of July, 2009.

Respectfully submitted,

/s/ Lawrence Matasar  
LAWRENCE MATASAR, OSB No. 74209

/s/ Steven T. Wax  
STEVEN T. WAX, OSB No. 85012  
Federal Public Defender

Attorneys for Defendant Pirouz Sedaghaty